

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

MICHAEL CAREY ELIX,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. CIV-09-170-C
	)	
SGT. TOM SNYDER, OKC PD	)	
Badge No. 1179, in his individual and	)	
official capacity,	)	
SGT. CLINT DELLINGER OKC PD	)	
Badge No. 1310, in his individual and	)	
official capacity, and	)	
CITY OF OKLAHOMA CITY,	)	
	)	
Defendants.	)	

ORDER ADOPTING REPORT AND RECOMMENDATION

This civil rights action was referred to United States Magistrate Judge Robert E. Bacharach consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Bacharach entered a Report and Recommendation on June 21, 2011, to which Plaintiff has timely objected. The Court therefore considers the matter de novo.

Plaintiff's only objection is to the conclusion that the City of Oklahoma City's failure to train officers in pursuits on foot and ramming a vehicle into a fleeing suspect amount to deliberate indifference. But for the reasons stated by Judge Bacharach, and under the cases cited in the Report and Recommendation, the Court agrees this theory is insufficient as a matter of law on the undisputed facts presented here.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons announced therein, Defendant City of Oklahoma City's Motion for Summary Judgment (Dkt. No. 85) is GRANTED. A judgment will enter at the conclusion of the case.

IT IS SO ORDERED this 12th day of July, 2011.



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ROBIN J. CAUTHRON  
United States District Judge